

Cause No. \_\_\_\_\_

Tenant: \_\_\_\_\_

In the Justice Court

V.

Precinct Three

Landlord: \_\_\_\_\_

Wise County, Texas

**PETITION FOR RELIEF UNDER SECTION 92.0563 OF THE TEXAS PROPERTY CODE**

1. **COMPLAINT:** Tenant files this petition against the above-named Landlord pursuant to Section 92.0563 of the Texas Property Code because there is a condition in Tenant's residential rental property that would materially affect the health or safety of an ordinary tenant. Information Regarding Residential Rental Property:

Street Address Unit No. (if any) City County State Zip

Landlord's Contact Information (to the extent known):

Business Street Address Unit No. (if any) City County State Zip Phone Number

2. **SERVICE OF CITATION:** Check the box next to each statement that is true.

- Tenant received in writing Landlord's name and business street address.
 Tenant received in writing the name and business street address of Landlord's management company.
 The name of Landlord's management company is \_\_\_\_\_. To Tenant's knowledge, this is the management company's contact information:

Business Street Address Unit No. (if any) City County State Zip Phone Number

- The name of Landlord's on-premise manager is \_\_\_\_\_. To Tenant's knowledge, this is the on-premise manager's contact information

Business Street Address Unit No. (if any) City County State Zip Phone Number

- The name of Landlord's rent collector serving the residential rental property is \_\_\_\_\_. To Tenant's knowledge, this is the rent collector's contact information:

Business Street Address Unit No. (if any) City County State Zip Phone Number

3. **LEASE AND NOTICE:** Check the box next to each statement that is true.

- The lease is oral.  The lease is in writing.  The lease requires the notice to repair or remedy a condition to be in writing.
 Tenant gave written notice to repair or remedy the condition on \_\_\_\_\_.
 The written notice to repair or remedy the condition was sent by certified mail, return receipt requested, or registered mail on \_\_\_\_\_.
 Tenant gave oral notice to repair or remedy the condition on \_\_\_\_\_.

Name of person(s) to whom notice was given: \_\_\_\_\_

Place where notice was given: \_\_\_\_\_

4. **RENT:** At the time Tenant gave notice to repair or remedy the condition, Tenant's rent was:  current (no rent owed),  not current but Tenant offered to pay the rent owed and Landlord did not accept it, or  not current and Tenant did not offer to pay the rent owed. Tenant's rent is due on the \_\_\_\_ day of the  month  week  \_\_\_\_\_ (specify any other rent-payment period). The rent is \$\_\_\_\_\_ per  month  week \_\_\_\_\_ (specify any other rent-payment period). Tenant's rent (check one):  is not subsidized by the government  is subsidized by the government as follows, if known: \$\_\_\_\_\_ paid by the government, and \$\_\_\_\_\_ paid by Tenant.

5. **PROPERTY CONDITION:** Describe the property condition materially affecting the physical health or safety of an ordinary tenant that Tenant seeks to have repaired or remedied: \_\_\_\_\_

6. **RELIEF REQUESTED:** Tenant requests the following relief:  a court order to repair or remedy the condition,  a court order reducing Tenant's rent (in the amount of \$\_\_\_\_\_ to begin on \_\_\_\_\_),  actual damages in the amount of \$\_\_\_\_\_,  a civil penalty of one month's rent plus \$500,  attorney's fees, and  court costs.

Tenant states that the total relief requested does not exceed \$10,000, excluding interest and court costs but including attorney's fees.

Tenant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Street address Unit No. (if any) Email

City State Zip Phone Number